

House File 2323 - Introduced

HOUSE FILE 2323
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HF 2141)

A BILL FOR

1 An Act relating to city utilities and city enterprises by
2 making changes to requirements related to residential rental
3 property.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 384.84, subsection 4, paragraph d, Code
2 Supplement 2011, is amended to read as follows:

3 d. Residential rental property where a charge for water
4 service is separately metered and paid directly to the city
5 utility or enterprise by the tenant is exempt from a lien for
6 delinquent rates or charges associated with such water service
7 if the landlord gives written notice to the city utility or
8 enterprise that the property is residential rental property
9 and that the tenant is liable for the rates or charges. A
10 city utility or enterprise may require a deposit not exceeding
11 the usual cost of ninety days of water service to be paid
12 to the utility or enterprise. Upon receipt, the utility or
13 enterprise shall acknowledge the notice and deposit. A written
14 notice shall contain the ~~name of the tenant responsible for~~
15 ~~charges,~~ address of the residential rental property that the
16 tenant is to occupy, and the date that the occupancy begins.
17 ~~A change in tenant shall require a new written notice to be~~
18 ~~given to the city utility or enterprise within thirty business~~
19 ~~days of the change in tenant.~~ When the tenant moves from the
20 rental property, the city utility or enterprise shall return
21 the deposit if the water service charges are paid in full. A
22 change in the ownership of the residential rental property
23 shall require written notice of such change to be given to the
24 city utility or enterprise within ten business days of the
25 completion of the change of ownership. The lien exemption for
26 rental property does not apply to charges for repairs to a
27 water service if the repair charges become delinquent.

28 Sec. 2. Section 384.84, subsection 4, Code Supplement 2011,
29 is amended by adding the following new paragraph:

30 NEW PARAGRAPH. e. Residential rental property where a
31 charge for any of the services of sewer systems, storm water
32 drainage systems, sewage treatment, solid waste collection, and
33 solid waste disposal is paid directly to the city utility or
34 enterprise by the tenant is exempt from a lien for delinquent
35 rates or charges associated with such services if the landlord

1 gives written notice to the city utility or enterprise that the
2 property is residential rental property and that the tenant is
3 liable for the rates or charges. A city utility or enterprise
4 may require a deposit not exceeding the usual cost of ninety
5 days of the services of sewer systems, storm water drainage
6 systems, sewage treatment, solid waste collection, and solid
7 waste disposal to be paid to the utility or enterprise. Upon
8 receipt, the utility or enterprise shall acknowledge the notice
9 and deposit. A written notice shall contain the address of
10 the residential rental property that the tenant is to occupy
11 and the date that the occupancy begins. When the tenant moves
12 from the rental property, the city utility or enterprise shall
13 return the deposit if the charges for the services of sewer
14 systems, storm water drainage systems, sewage treatment, solid
15 waste collection, and solid waste disposal are paid in full.
16 A change in the ownership of the residential rental property
17 shall require written notice of such change to be given to the
18 city utility or enterprise within ten business days of the
19 completion of the change of ownership. The lien exemption for
20 rental property does not apply to charges for repairs related
21 to a service of sewer systems, storm water drainage systems,
22 sewage treatment, solid waste collection, and solid waste
23 disposal if the repair charges become delinquent.

24 EXPLANATION

25 The bill relates to city utilities and city enterprises by
26 making changes to requirements related to residential rental
27 property.

28 The bill removes a requirement for residential rental
29 property that written notice to a city utility or enterprise
30 include the name of the tenant responsible for charges for
31 water services when such charges are separately metered
32 and paid directly by the tenant. The bill also removes a
33 requirement that a new written notice be provided to the city
34 utility or enterprise within 30 days of a change in tenant for
35 such residential rental property.

1 The bill provides that residential rental property is exempt
2 from a lien for delinquent rates or charges associated with
3 charges for sewer system, storm water drainage system, water
4 treatment, solid waste collection, and solid waste disposal
5 services if the landlord gives written notice to the city
6 utility or city enterprise that the property is residential
7 rental property and that the tenant is liable for the rates
8 or charges. The bill provides that a city utility or city
9 enterprise may require a deposit not exceeding the usual cost
10 of 90 days of provision of such services to be paid to the
11 city utility or city enterprise. The bill requires that the
12 city utility or city enterprise acknowledge the receipt of
13 such notice and deposit. The bill requires that a written
14 notice contain the address of the residential rental property
15 that the tenant is to occupy and the date that the occupancy
16 begins. The bill requires that the city utility or city
17 enterprise return the deposit paid if the charges for such
18 services are paid in full when the tenant moves from the rental
19 property. The bill requires that written notice be provided
20 to a city utility or city enterprise providing such services
21 within 10 business days when there is a change in ownership
22 of residential rental property. The bill further provides
23 that the lien exemption does not apply to charges for repairs
24 related to sewer systems, storm water drainage systems, water
25 treatment, solid waste collection, and solid waste disposal
26 services if the repair charges become delinquent.